

DECLARATION AND POWER OF ATTORNEY

Attorney's Docket No. 16313-0030

In re Application of: **Oswaldo da Costa e Silva, Hans J. Bohnert, Nocha van Thielen, and Rouying Chen**

As below named inventors, we hereby declare that:

Our residence, post office addresses and citizenships are as stated below next to our names. We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **"Transcription Factor Stress-Related Proteins and Methods of Use in Plants"**, the specification of which:

☐ is attached hereto.☒ was filed on April 6, 2001 as Application No. 09/828,303.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. We do not know and do not believe that the same was ever known or used by others in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the date of this application. We further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. *We understand that we have a duty of candor and good faith toward the Patent and Trademark Office, and we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.*

We hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of the foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

<u>Application No.</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed Under 35 USC §119</u>
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Yes _____ No _____

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/196,001

(Application No.)

April 7, 2000

(Filing Date)

(Application No.)

(Filing Date)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter disclosed and claimed in the present application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.Filing DateStatus: patented, pending, abandoned

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

POWER OF ATTORNEY: The following attorneys are hereby appointed to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Peter G. Pappas - 33,205; Daniel J. Warren - 34,272; William L. Warren - 36,714; Michael S. Pavento - 42,985; Lisa M. Cobern - 44,669; Robert A. Lester - 24,004; Erinn C. Kelly - 44,822; Jerry C. Liu - P47,754; Kevin W. King - 42,737.

Send correspondence to: **SUTHERLAND ASBILL & BRENNAN LLP** Direct telephone calls at (404) 853-8000
999 Peachtree Street, NE
Atlanta, GA 30309-3996

Lisa M. Cobern, Esq.

Full name of sole or first inventor: <u>Oswaldo da Costa e Silva</u>	Citizenship: <u>Brazil</u>
Inventor's signature: <u>[Signature]</u>	Date: <u>5/30/01</u>
Residence and Post Office Address: <u>203 Littleford Lane, Apex, North Carolina 27502</u>	

☒ Additional inventors are being named on separately numbered sheets attached hereto.

Attorney Docket No.: 16313-0030

Title: Transcription Factor Stress-Related Proteins
and Methods of Use in Plants

Page 2

Full name of second inventor: Hans J. Bohnert	Citizenship: Germany
Inventor's signature	Date:
Residence and Post Office Address: 5400 East Williams Blvd., Apartment 13-208, Tucson, Arizona 85710	

Full name of third inventor: Nocha van Thielen	Citizenship: Canada
Inventor's signature	Date:
Residence and Post Office Address: 206-T Hyde Park Ct., Cary, North Carolina 27513	

Full name of fourth inventor: Rouying Chen	Citizenship: China
Inventor's signature	Date:
Residence and Post Office Address: 105 Collier Place 1-G, Cary, North Carolina 27513	

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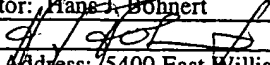
Full name of sole or first inventor: Oswaldo da Costa e Silva	Citizenship: Brazil
Inventor's signature	Date:
Residence and Post Office Address: 203 Littleford Lane, Apex, North Carolina 27502	

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Full name of second inventor: Hans J. Bohnert	Citizenship: Germany
Inventor's signature 	Date: 5/30/01
Residence and Post Office Address: 5400 East Williams Blvd., Apartment 13-208, Tucson, Arizona 85710	

Full name of third inventor: Nocha van Thielen	Citizenship: Canada
Inventor's signature	Date:
Residence and Post Office Address: 206-T Hyde Park Ct., Cary, North Carolina 27513	

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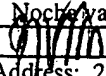
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Full name of fourth inventor: Ruoying Chen	Citizenship: China
Inventor's signature <i>Ruoying Chen</i>	Date: <i>6/8/2001</i>
Residence and Post Office Address: 105 Rustic Pine Court, Apex, North Carolina 27502	